

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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|-----------------------------|---|----------------------------|
| In re Application of | : | Customer Number: 41552 |
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| Lipton, Stuart A., et al. | : | Confirmation Number: 5845 |
| | : | |
| Application No.: 09/876,187 | : | Tech Center Art Unit: 1632 |
| | : | |
| Filed: June 05, 2001 | : | Examiner: Falk, Anne Marie |
| | : | |

For: METHODS OF DIFFERENTIATING AND PROTECTING CELLS BY MODULATING
THE P38/MEF2 PATHWAY

**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent
and Trademark Office on Jul 2, 2008.
/Lori Ford/
Lori Ford

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 2, 2008, of the Primary Examiner finally rejecting claims 1-20 and 58-79.

Appeal Fee: \$255.00

☒ Charge to Deposit Account No. 502624.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

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**Please recognize our Customer No. 41552
as our correspondence address.**